

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of

TANAKA et al

Atty. Ref.: HWB-1035-299

Patent No. RE40,771

Issued: June 23, 2009

For: LIQUID CRYSTAL DISPLAY DEVICE AND METHOD OF
DRIVING THE SAME

* * * * *

January 25, 2011

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

REQUEST FOR A CERTIFICATE OF CORRECTION

The patentee in the above-identified patent hereby requests that the Patent and Trademark Office issue an Official Certificate of Correction pursuant to 37 C.F.R. § 1.323 and in accordance with 35 U.S.C. § 255 for the following mistake made by the applicant.

Column 14, lines 38-39 should read “18. A liquid crystal display device comprising: a pair of substrates sandwiching liquid crystals therebetween;” so that claim 18 expressly has the preamble that was inadvertently omitted in the last claim submission. A draft Official Certificate of Correction is attached for use in correcting the above-identified matter. The undersigned represents that the mistake occurred in good faith. The proposed correction does not constitute new matter, nor does it require reexamination. The PTO already caught and unilaterally corrected the same error (i.e., the inadvertent omission of the same claim preamble) in connection with claim 1 of the above-identified patent. In particular, the preamble of claim 1 was inadvertently omitted in the same January 4, 2006 Amendment, but the PTO caught this mistake and printed claim 1 with its preamble in the issued patent. Patentee here simply requests that the same correction for claim 18.

By way of background, the patentee originally presented the correct version of reissued claim 18 at the time the reissue application was filed (on February 2, 2001) in the context of an amendment to original patent claim 1. The patentee's originally proposed claim 1 included a preamble ("A liquid crystal display device comprising"). In an Amendment dated January 4, 2006, the patentee explained in remarks that it sought to (1) amend claim 1 to return it to the identical wording as that of the original patent, and (2) add independent claim 18 "having the wording of independent claim 1 as initially appearing in this reissue application." The patentee inadvertently made a minor clerical / typographical error in word processing new independent claim 18. The patentee inadvertently did not copy the preamble from originally amended claim 1 into newly added claim 18. Accordingly, claim 18 of the above-identified patent issued without the preamble.

The preambles of dependent claims 19-27 clearly indicate that the preamble of claim 18 should read "A liquid crystal display device," and the transitional phrase "further comprising" in claim 21 clearly indicates that the transitional phrase in claim 18 should be "comprising." The similarities between original claims 1-10 and reissued claims 18-27 confirm this.

The Remarks section in the January 4, 2006 Amendment further demonstrates that the mistake in claim 18 should be corrected in the manner set forth above. The Remarks stated that claim 18 has "the wording of independent claim 1 as initially appearing in the reissue application," which included the preamble.

Since the error arose on the part of the patentee, payment in the amount of \$100.00 is submitted herewith securing issuance of the Certificate. The Commissioner is hereby authorized to charge any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed by this firm) to our **Account No. 14-1140**.

Respectfully submitted,

NIXON & VANDERHYE P.C.

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UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF CORRECTION

PATENT NO. : RE40,771
DATED : June 23, 2009
INVENTOR(S) : TANAKA et al

It is certified that error appears in the above-identified patent and that said letters patent is hereby corrected as shown below:

Column 14, line 38, between "A" and "pair", insert -- *liquid crystal display device comprising: a --*.

MAILING ADDRESS OF SENDER:

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